

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Bejo Zuden BV and  
De Groot & Slot Beheer BV

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture


AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR PROPAGATING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SHALLOT

'BGS-118'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-first day of March, in the year two thousand and five.

Attest:  
  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service



Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

1. NAME OF OWNER A) BEJO ZADEN BV B) DE GROOT & SLOT BEHEER BV		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BGS-118		3. VARIETY NAME BGS-118	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) A) Trambaan 1, 1749 CZ Warmenhulzen, The Netherlands B) Middenweg A1, 1703 BA Heerhugowaard, The Netherlands		5. TELEPHONE (include area code) +31-70-3906397 (Repr. in the Netherlands)		FOR OFFICIAL USE ONLY	
		6. FAX (include area code) +31-70-3950750 (Repr. in the Netherlands)		PVPO NUMBER 200200053	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Company with limited liability		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Fully incorporated		FILING DATE December 13, 2001	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Dr. Richard C. Peet FOLEY & LARDNER Washington Harbour 3000 K Street, N.W. Suite 500 Washington, D.C. 20007-5109				FILING AND EXAMINATION FEES: \$ 2705 DATE 12/13/2001 CERTIFICATION FEE: \$ 432 + 38 DATE 2/10/2005	
11. TELEPHONE (include area code) (202) 945-6180		12. FAX (include area code) (202) 835-8138		13. E-MAIL <rpeet@foleylaw.com>	
				14. CROP KIND (Common Name) Shallot	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,705), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)			19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input checked="" type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input type="checkbox"/> NO (If "no," go to item 22)		
			20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED 700 12/2/01		
			21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> 1 CERTIFIED 700 12/2/01 (If additional explanation is necessary, please use the space indicated on the reverse.)		
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)			23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER Richard Peet			SIGNATURE OF OWNER		
NAME (Please print or type) Richard Peet			NAME (Please print or type)		
CAPACITY OR TITLE Attorney / Legal Representative		DATE December 12, 2001		CAPACITY OR TITLE	
				DATE	

## INSTRUCTIONS

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,705 (\$320 filing fee and \$2,385 examination fee), payable to "Treasurer of the United States". (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

## Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/PVPO/pvp.htm>

## ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
  - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
21. See Section 83 of the Act for the Contents and Term of Plant Variety Protection.
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

S&T-470 (9-00) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (8-98) which is obsolete.

**ALLIUM ascalonicum BGS-118****Exhibit A**

- 1) The genealogy, including public and commercial varieties, lines, or clones used, and the breeding method:

*The origin of BG-118 are vegetative propagated cultivars from the "Val de Loire", a French shallot region. A selection of these unnamed non-proprietary cultivars has been made generative by the applicants. The hybrid BGS-118 was originated from a crossing between selected seedlings from this generative collection.*

- 2) The details of subsequent stages of selection and multiplication:

*The collection of the unnamed non-proprietary cultivars started 1990. From 1990 the applicants also started the vegetative propagation. Pure uniform parent breeding lines were accomplished by means of inbreeding in 1998. From this date the production of the hybrids has been started.*

- 3) Evidence of uniformity and stability:

*The hybrids are tested at distinctness, uniformity and stability during field tests in the period 1998 – 2001 at trial locations in the Netherlands, France and the United States.*

- 4) The type and frequency of variants during reproduction and state how these variants may be identified:

*During reproduction from 1990 no variants and/or mutants have been found.*

#### IV. Exhibit A – Origin and Breeding History

Per the Examiner's request, Applicants provide the following additional origin and breeding information regarding 'BGS-118'.

##### Origin:

In Val de Loire in the northwest of France, one of the most important crops is shallots, which are vegetatively propagated.

In about 1990 during one of the Applicants' visits to several growers in that area, some shallot-material was collected. The shallots that were collected were known in the region as a traditional local variety. Specifically, in France these shallot-types are commercially used under the name 'longue' and 'demi-longue' ('long' and 'half-long').

##### Characteristics:

The material collected by the Applicants is readily recognized by the well-known tall shape of the shallots. The color of the bulb is a shade of red-brown. Another characteristic of vegetatively propagated shallots is the high incidence of virus infection in the plant material.

##### Vegetative and generative:

Applicants are the first and only companies worldwide, who have succeeded in making true seeds of shallots. With considerable experience and know-how in onion breeding, the Applicants developed in the beginning of the 1990s, the first commercial seeds of shallots with a round bulb. Applicants have developed a special system of bulb preparation to induce flowers instead of vegetative multiplication.

With Applicants' experience in the round types of shallots, Applicants were able to easily introduce this same system in the French 'long' and 'half-long' types of shallots.

##### Inbred lines:

Inbred lines were developed in the beginning of the 1990s.

In Applicants' breeding system, Applicants started with about 200 bulbs for selfing to make inbreds. In this system, Applicants produced 200 different inbred lines from which the Applicant then decided which lines to continue breeding. The Applicants first chose to continue breeding Valoir C1 through Valoir C200.

After several generations, Applicants chose to continue breeding Valoir C4 and Valoir C5. Both lines were not uniform, so the Applicants made inbreds again of this material and continued breeding with the best inbreds which were called Valoir C4-1 and Valoir C5-1.

Together with making inbreds, Applicants made pair-crossings with a sterile line and through this method found the maintainer-line called Valoir B5-1 and its sterile line called Valoir A5-1.

After the realization that these inbred lines were uniform, Applicants were able to produce enough stock seeds to build a base for commercial seed-production. This took about 3 generations (6 years).

For making the hybrids, the Applicants used a simple F1-cross of the sterile line and a fertile line.

Commercializing:

Applicants produced the first true seeds for shallots to be available for the commercial market. As a result, Applicants request registration in several countries.

CONCLUSION

It is respectfully submitted that the PVPA application for 'BGS-118' is in condition for allowance. An early notification to this effect is earnestly solicited. If you should have any questions, or if we may be of further assistance, please do not hesitate to contact the undersigned at the number shown below.

Respectfully submitted,

*Richard C. Peet*

*Reg No. 34,717*

Date: Nov 29, 2004

Richard C. Peet

*for* Attorney for Applicant  
FOLEY & LARDNER, LLP  
Suite 500  
3000 K Street, N.W.  
Washington, D.C. 20007  
202-672-5483 (Tel)  
202-672-5399 (Fax)

**ALLIUM ascalonicum BGS-118****Exhibit B****Statement of Distinctness**

A summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:

- 1) Identify these varieties and state all differences objectively.

<b>Allium Ascalonicum</b>									
<b>Type: Shallots from seeds (semi-long day - very long day)</b>									
<b>Yellow</b>		<b>Earliness</b>	<b>Yield</b>	<b>Skin quality in May</b>	<b>Bolting tolerance</b>	<b>Dry matter %</b>	<b>mild / pungent</b>	<b>Shape</b>	<b>Tol / Res.</b>
BGS 114	F1	6.5	115	9	+/+	20.2	6.9	round	(PRT)
Bonilla	F1	6.0	110	9	+/+	20.3	6.9	round	(PRT)
<b>Red/Brown</b>									
Atlas	F1	8.0	80	5	+/-	19.5	6.6	round	PRT
Mirage	F1	7.0	105	8	+/+	19.6	6.6	round	PRT
Ambition	F1	6.5	125	9	+/+	17.8	5.9	round/high	PRT
Matador	F1	6.5	122	10	+/+	18.1	6.0	round/high	PRT
BGS 117	F1	6.0	120	9	+/+	16.8	5.5	high/round	(NO)
BGS 118	F1	5.8	110	9	+/+	18.2	6.1	high	(NO)
<b>Red</b>									
Prisma	F1	5.5	110	9	+/+	17.0	5.6	round	PRT
<b>White</b>									
BGS 115	OP	7.0	80	6	+	17.9	6.0	round	(NO)

# ALLIUM ascalonicum BGS-118

## EXPLANATION DATA

* Earliness:	1 point higher indicates that the crop can be harvested 1 week earlier.
* Yield:	Numbers are ratios.
* Skin quality:	Rating 1-10, for store qualities after harvest/after storage.
* Sprouting tolerance:	Rating 1-10, the higher the figure, the higher the tolerance.
* Firmness:	Rating 1-10, the higher the figure, the higher the tolerance of the scales.
* Bolting tolerance:	+/+ = very high + = high +/- = moderate - = low
* Mild/pungent:	Rating 1-10, mild/sweet to strong pungent
* <i>Pyrenochaeta terrestris</i> Pinkroot tolerance/resistance:	PRT/PRR
* Tolerance/resistance:	IF( ); expected. Not fully tested yet.
* <i>Fusarium oxysporum</i> tolerance/resistance:	FOT/FOR
* <i>Alternaria Porri</i> :	APT/APR

All figures listed in the table are based on averages from our trial fields in areas, where the different types normally should grow. Climate and field conditions can vary so the behaviour of a variety can be different in a specific area.

- 2) Attach statistical data for characters expressed numerically and demonstrate that these are clear differences.

*None statistical data available at this moment*

- 3) Submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

*4 Colour photographs per variety*

FORM GR-570-1E  
(2-1-73)UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
GRAIN DIVISION  
HYATTSVILLE, MARYLAND 20782

FORM APPROVED. QMB NO. 40-R3712

EXHIBIT-C  
(Onions)

## OBJECTIVE DESCRIPTION OF VARIETY

ONIONS (ALLIUM CEPA L.)

REFERENCES: See Reverse.

NAME OF APPLICANT(S)

A) BEJO ZADEN BV B) DE GROOT &amp; SLOT BEHEER BV

ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)

A) Trambaan 1, 1749 CZ Warmerhuizen, the Netherlands

B) Middenweg A1, 1703 BA Heerhugowaard, the Netherlands

FOR OFFICIAL USE ONLY

RVPA NUMBER

200200053

VARIETY NAME OR TEMPORARY

DESIGNATION

BGS-118

Place the appropriate number that describes the varietal character of this variety in the boxes below.  
Place a zero in first box (4-8-089) or (09) when number is either 99 or less or 9 or less.

## 1. TYPE:

1

1 - BULB 2 - BUNCHING

2

1 - SHORT DAY 2 - LONG DAY

3

5

TO

6

0

DEGREES MEAN LATITUDE - ADAPTATION RANGE

2

Maturity (days): 1 - EARLY (75 - 90) 2 - MEDIUM (100 - 120) 3 - LATE (&gt; 130)

## 2. PLANT

4

0

CM. HEIGHT ABOVE SOIL LINE TO HIGHEST POINT OF ANY FOLIAGE

1

1

CM. TALLER THAN

None

(Comparable variety)

1

0

CM. SHORTER THAN

Ambition

(Comparable variety)

1

1 - ERECT (Spartan Gem)

2 - INTERMEDIATE

3 - FLOPPY (Epoch)

## 3. LEAF:

3

5

CM. LONG (before maturity yellowing begins)

1

2

MM. WIDE

0

2

MM. THICK AT MIDLENGTH OF LONGEST LEAF

2

Color:

1 - LIGHT GREEN (Early Grand)

2 - MEDIUM GREEN (Yellow Bermuda)

3 - BLUE GREEN (Australian Brown U.C. No. 1)

1

Bloom:

1 - NONE - glossy

2 - LIGHT (Early Grand)

3 - MEDIUM (Crystal Wax)

4 - HEAVY (California Early Red)

## 4. SHEATH:

0

8

MM. COLUMN LENGTH (Height from soil line to base of lowest succulent leaf)

0

8

MM. DIAMETER AT MIDLENGTH

1

1

Scape: CM. FROM SOIL LINE TO BASE OF INFLORESCENCE

1

1

Scape: MM. DIAMETER AT MIDLENGTH

## 5. INFLORESCENCE:

Umbel (for seed production)

7

MAXIMUM NO. PER PLANT

1

MINIMUM NO. PER PLANT

4

AVERAGE NO. PER PLANT

4

0

MM. DIAMETER

2

1 - COMPACT

2 - LOOSE/OPEN

3 - SHAGGY

2

Spathe:

1 - LONG BEAK

2 - SHORT BEAK

3

Flower Color:

1 - WHITE

2 - GREEN

3 - BRIGHT GREEN

3

MM. ANTHER LENGTH

1

Anther Color:

1 - LIGHT GREEN

2 - DARK GREEN

3 - YELLOW

4 - PALE YELLOW

5 - CHOCOLATE

6 - RED

1

Pollen Viability:

1 - STERILE

2 - FERTILE

2

Sepal Shape:

1 - LONG POINTED

2 - ROUND SHORT

## FORM GR-470-16 (REVERSE)

## 6. BULB:

4 0 AVERAGE NUMBER BULBS PER METER

1 Size (Harvest): 1 = SMALL (Red Creole) 2 = MEDIUM (Australian Brown U.C. No. 1) 3 = LARGE (Early Grand)

8 Shape (see attached chart): 1 = GLOBE (White Sweet Spanish) 2 = DEEP GLOBE (Abundant)  
3 = FLT. GLOBE (Australian Brn. U.C. No. 1) 4 = TOP SHAPE (Texas Grand 502)  
5 = DEEP FLAT (Crimes) 6 = THICK FLAT (Ebenezer)  
7 = FLAT (Crystal Wax) 8 = TORPEDO-LONG OVAL (Italian Red)

0 5 CM. HEIGHT ÷ 0 2.5 CM. DIAMETER = 2.0 SHAPE INDEX

? 1 = INVAGINATE 2 = EVAGINATE

1 0 Color (Skin): 01 = BROWN (Australian Brn. U.C. No. 1) 02 = PURPLISH RED (Italian Red)  
03 = BUFF RED (Red Creole) 04 = PINKISH YELLOW (Ebenezer)  
05 = BROWNISH YELLOW (Mt. Danvers) 06 = DEEP YELLOW (Brigham Yellow Globe)  
07 = MEDIUM YELLOW (Early Yellow Globe) 08 = PALE YELLOW (Yellow Bermuda)  
09 = WHITE (White Sweet Spanish) 10 = OTHER (Specify) Brownish yellow1 Color (Interior): 1 = PINK 2 = RED 3 = PURPLISH-RED 4 = WHITE  
5 = CREAM 6 = LIGHT GREEN-YELLOW 7 = DARK GREEN-YELLOW

3 Scales: 1 = FEW (Crystal Wax) 2 = MEDIUM (Australian Brown U.C. No. 1) 3 = MANY (Sweet Spanish)

2 Scales: 1 = THICK (Australian Brown U.C. No. 1) 2 = MEDIUM (Red Creole) 3 = THIN (Crystal Wax)

1 Scale Recurrence: 1 = VERY GOOD (Australian Brn. U.S. No. 1) 2 = GOOD (Ebenezer)  
3 = FAIR (Red Wetherfield) 4 = POOR (Crystal Wax)

3 Pungency: 1 = MILD (Early Grand) 2 = MEDIUM (Crystal Wax) 3 = STRONG (White Creole)

1 Storage: 1 = GOOD (Ebenezer) 2 = FAIR (Yellow Globe Danvers) 3 = POOR (Crystal Wax)

## 7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

0 BLACK MOLD 1 NECK ROT 0 PURPLE BLOTCH 0 SMUT  
1 MILDEW 1 PINK ROOT 0 SMUDGE 0 YELLOW DWARF

## 8. INSECT RESISTANCE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

1 THRIP 0 OTHER (Specify)

## 9. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leaf Height	Ambition	Flower Bell	N/A
Leaf Color	Ambition	Bulb Color	Matador
Leaf Bloom/Wax	N/A	Bulb Size	Ambition
Flower Stalk	Ambition	Bulb Shape	Ambition
Maturity at Same Location	Ambition / Matador		

## REFERENCES

- Jones, H. A. and Mann, L. K. 1963 - Onions and Their Allies, Interscience Publishers, Inc., New York
- USDA Misc. Pub. No. 435, 1941 - Descriptions of Types of Principal American Varieties of Onions
- Hayward, H. E., 1938 - The Structure of Economic Plants, McMillan, New York (Reprint 1967)
- Ag Research, 7 (8):8 - Feb. 1959 - Branding Onion Outcasts
- Salem, I. A. 1966 - Inheritance of Onion Bulb Shape, Iowa St. University - PhD thesis

# **BGS 118**

Location : Netherlands

Date : August 24 - 2000



## **BGS 118**

Location : Washington State - U.S.A.

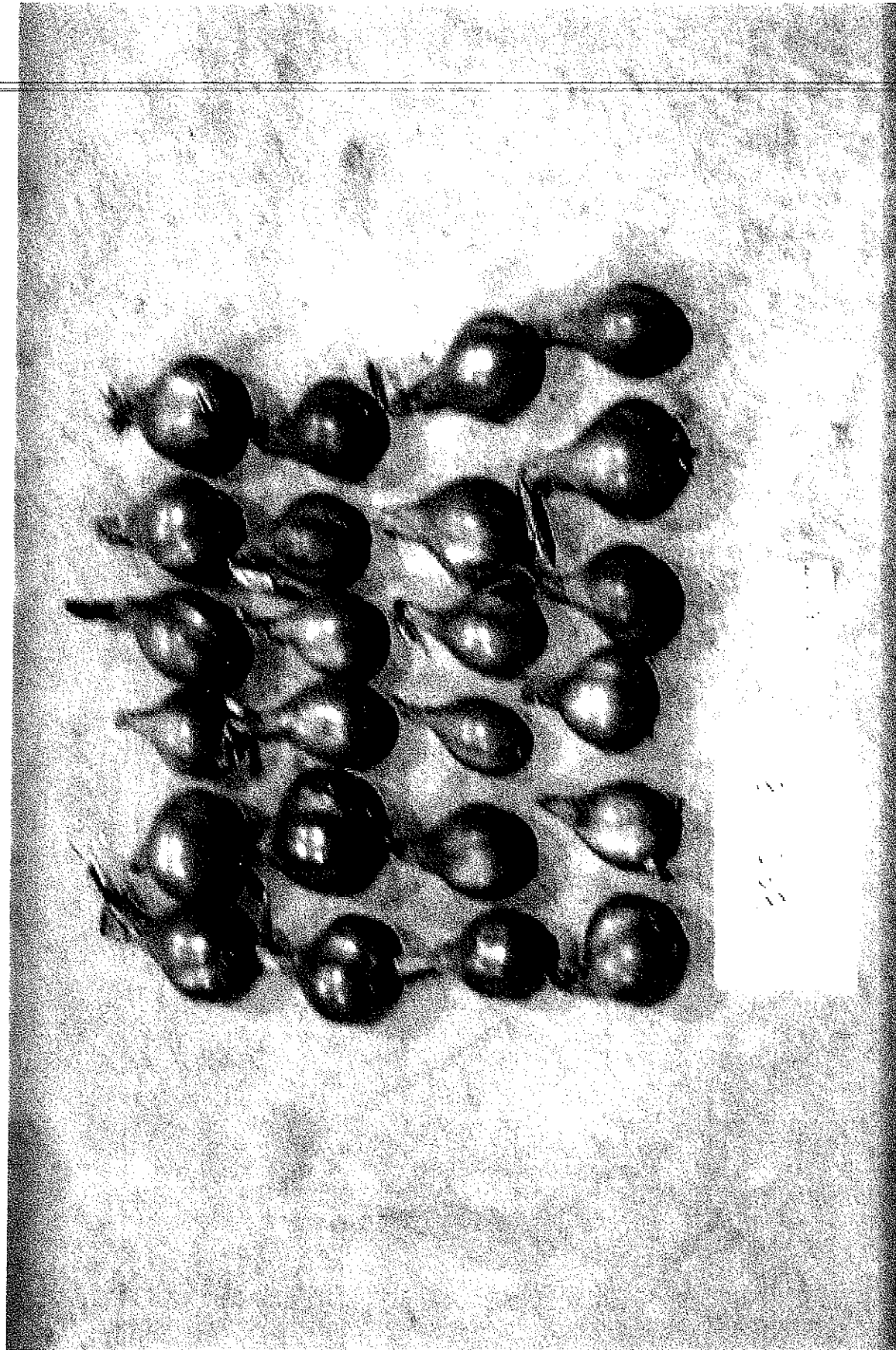
Date : August 15 - 2001



# **BGS 118**

Location : U.S.A.

Date : September 20 - 2001



# **BGS 118**

Location : U.S.A.

Date : September 20 - 2001



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S)  A) BEJO ZADEN BV B) DE GROOT & SLOT BEHEER BV	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  BGS-118	3. VARIETY NAME  BGS-118
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  A) Trambaan 1, 1749 CZ Warmerhuizen, the Netherlands  B) Middenweg A1, 1703 BA Heerhugowaard, the Netherlands	5. TELEPHONE (Include area code) +31-70-3906397 (Repr. in the Netherlands)  7. PVPO NUMBER 2002 00053	6. FAX (Include area code) +31-70-3906397 (Repr. in the Netherlands)

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.

☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.

☐ YES ☒ NO

A and B: The Netherlands

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (If needed, use the reverse for extra space):

## PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 8 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

In re Application No.: New Application

Variety Name: BGS-118

Examiner: UNKNOWN

For: ALLIUM Ascalonicum Application

**POWER OF ATTORNEY/DESIGNATION OF REPRESENTATIVE**

Plant Variety Protection Office, AMD, USDA  
NAL Building, Room 500  
10301 Baltimore Avenue  
Beltsville, MD 20705-2351

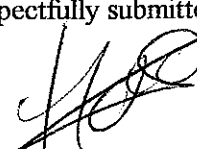
Sir:

The undersigned applicant in the above-identified application hereby appoints as its attorneys with full power of substitution and revocation, to prosecute this application and transact all business in the Plant Variety Protection Office in connection therewith, members of the firm of Foley & Lardner. It is requested that all correspondence be sent to:

Richard C. Peet  
FOLEY & LARDNER  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109

Please address telephone communications to Richard C. Peet at (202) 672-5483.

Respectfully submitted,



Date: August 14, 2001

Henk DE GROOT  
Director Research  
DE GROOT & SLOT BEHEER bv  
Middenweg A1  
1703 BA Heerhugowaard  
The Netherlands

Date: August 14, 2001



Mr. N.A. Zutt.....<name>

Head Registration...<position>

BEJO ZADEN BV  
Trambaan 1  
1749 CZ Warmenhuizen  
The Netherlands